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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ERICSSON INC.
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EXAMINER

PHILLIPS, HASSAN A

ART UNIT	PAPER NUMBER
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215F

10

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/755,948

Applicant(s)

BHATIA ET AL.

Examiner

Hassan Phillips

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7.8</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed on December 18, 2001, has been received and considered by the examiner.
2. The information disclosure statement filed on July 24, 2002, has also been received and considered by the examiner.

Drawings

1. The drawings filed on May 2, 2001, have been received and considered by the examiner.
2. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: reference sign 100, on page 3, line 11 and reference sign 252, on page 15, line 16. A proposed drawing correction or corrected drawings are required in reply to

the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 8-20, 22, 23, 25-30, 33-36, are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Bar et al. (hereinafter Bar), U.S. patent publication 2001/0044309.

3. In considering claim 1, Bar teaches a telecommunication system for facilitating information inter-exchange, said telecommunication system comprising:

- a) a real time network having at least one telecommunications device 26, therein, (page 2, paragraph 14);
- b) a third party service provider 24, associated with an Internet network 22, said third party service provider employing non-real time operations, (page 2, paragraph 12);
- c) a central server 16, interfacing the real time network and the service provider, said central server exchanging information there-between and providing a plurality of data from said Internet network to the telecommunications device, (page 3, paragraph 23).

4. In considering claim 2, Bar teaches a system wherein interfacing between a real time network and a service provider facilitates providing real time information regarding at least one telecommunications device to the service provider. See page 1, paragraph 6.

5. In considering claim 3, it is inherent in the method taught by Bar that the central server 16, comprises a filtering means for filtering real time information, and providing the filtered information to a service provider. See page 1, paragraph 11, and page 2 paragraph 12.

6. In considering claim 4, Bar teaches the central server providing real time information associated with the at least one telecommunications device to the service provider. It is inherent in this system that the telecommunication device is registered to receive data from the service provider. See page 3, paragraph 23.

7. In considering claim 5, Bar teaches a system wherein the central server comprises a collecting means for collecting real time information related to at least one telecommunications device within the real time network. See page 1, paragraph 11.

8. In considering claim 8, Bar teaches a system wherein the central server comprises a receiving means for receiving real time information from at least one network element in the real time network. See page 1, paragraph 11.

9. In considering claim 9, it is inherent in the system taught by Bar that the receiving means further comprises a filtering means for filtering real time information. See page 1, paragraph 11.

10. In considering claim 10, Bar teaches a system wherein the central server comprises a receiving means for receiving real time information from at least one telecommunications device. See page 1, paragraph 11.

11. In considering claim 11, it is inherent in the system taught by Bar that the service provider comprises a portal that collects content from the Internet network. See page 2, paragraph 12.

12. In considering claim 12, Bar teaches a wireless communications device as the telecommunications device. See page 2, paragraph 14.

13. In considering claim 13, Bar teaches a system wherein the central server comprises conventional hardware and software to facilitate the information inter-exchange between the real time network and the service provider. See page 2, paragraph 12.

14. In considering claim 14, Bar teaches a system wherein the service provider is within the central server, said service provider containing content data, said content data being selectively provided to at least one telecommunications device. See page 3, paragraph 23.

15. In considering claim 15, Bar teaches a central server system for facilitating information inter-exchange between a wireless telecommunications system having at least one telecommunications device therein and an Internet portal, said central server system comprising:

- a) a central server 16, (page 2, paragraph 12, also see Fig. 1);

- b) an interface for interfacing with the wireless telecommunications system,
(see Fig. 1)
- c) a second interface for connecting with the Internet portal, (page 2, paragraph 12, also see Fig. 1);
- d) the central server exchanging information between the wireless telecommunications system and the Internet portal via the first interface and second interface respectively, and providing real time information from the wireless telecommunication system to the Internet portal, thereby enabling transference of a plurality of content data from the Internet portal to the at least one telecommunications device, (page 3, paragraph 23).

16. In considering claim 16, Bar teaches a wireless communications device as the telecommunications device. See page 2, paragraph 14.

17. In considering claim 17, Bar teaches a system wherein the central server comprises conventional hardware and software to facilitate the information interchange between the wireless telecommunications system and a service provider. See page 2, paragraph 12.

18. In considering claim 18, it is inherent that the system of Bar uses HTTP for the first interface. See page 2, paragraph 12.

19. In considering claim 19, the system of Bar teaches the first interface receiving real time information related to the at least one telecommunication device. See page 1, paragraph 11.

20. In considering claim 20, it is inherent in the system taught by Bar that the telecommunication device is registered with an Internet portal. See page 3, paragraph 23.

21. In considering claim 22, Bar teaches a system wherein the central server comprises a receiving means for receiving real time information from at least one system element within the wireless telecommunications system. See page 1, paragraph 11.

22. In considering claim 23, Bar teaches a system wherein the central server comprises a receiving means for receiving real time information from at least one telecommunications device. See page 1, paragraph 11.

23. In considering claim 25, Bar teaches a system wherein the Internet portal comprises a plurality of content providers for providing content to at least one telecommunications device. See page 3, paragraph 23.

24. In considering claim 26, Bar teaches a method for facilitating information inter-exchange between a wireless telecommunications system having at least one telecommunications device therein and an Internet portal, said method comprising the steps of:

- a) receiving real time information at a first interface associated with a central server in communication with the wireless telecommunication system, (page 1, paragraph 11, also see Fig. 1);
- b) providing the real time information to the Internet portal by a second interface associated with the central server, (page 2, paragraph 12, also see Fig. 1);
- c) the central server exchanging information between the wireless telecommunications system and the Internet portal via the first interface and second interface respectively, and providing real time information from the wireless telecommunication system to the Internet portal, thereby enabling transference of a plurality of content data from the Internet portal to the at least one telecommunications device, (page 3, paragraph 23).

25. In considering claim 27, it is inherent in the method taught by Bar that prior to step (b), the central server filters the real time information. See page 1, paragraph 11.

26. In considering claim 28, the method of Bar teaches a plurality of content data being transferred from the Internet portal to the at least one telecommunications device according to a feature of the real time information. See page 3, paragraph 23.

27. In considering claim 29, the method of Bar teaches the feature of real time information to be location-based. See page 3, paragraph 23.

28. In considering claim 30, the method of Bar teaches monitoring the real time information by at least one system element within the wireless telecommunications system. See page 1, paragraph 11.

29. In considering claim 33, Bar teaches a wireless communications device as the telecommunications device. See page 2, paragraph 14.

30. In considering claim 34, the method of Bar teaches the real time information comprising location information associated with at least one telecommunication device. See page 3, paragraph 23.

31. In considering claim 35, the method of Bar teaches the real time information being selected from the group consisting of: subscriber status information, subscriber preferences information and subscriber rules information. See page 3, paragraph 23.

32. In considering claim 36, it is inherent in the system taught by Bar that prior to step (a), the telecommunication device is registered with an Internet portal. See page 3, paragraph 23.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6,7, 21, 24, 31, 32, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bar in view of Bala et al. (hereinafter Bala) U.S. patent publication 2002/0068580.

3. In considering claim 6, although the disclosed system of Bar shows substantial features of the claimed invention, it fails to expressly disclose:

- a) the central server comprising a polling means for polling at least one network element in the real time network.

Nevertheless, polling of network elements was well known in the art at the time of the claimed invention, and is exemplified by Bala whose method comprises:

- a) a data processing system 20 comprising a polling means for polling at least one network element in a real time network, (page 3, paragraph 32).

Given the teachings of Bala, it would have been apparent to one of ordinary skill in the art to have the central server comprise a polling means for polling at least one network element in the real time network. This would have provided a specific time for the network element to transmitting real time data to the central server, and also would have provided an efficient means for the central server to obtain real time data from the network element, Bala, page 1, paragraph 6.

4. In considering claim 7, although the disclosed system of Bar shows substantial features of the claimed invention, it fails to expressly disclose:

- a) the central server comprising a polling means for polling at least one network element in the real time network and requesting real time information related to at least one telecommunications device.

Nevertheless, polling of network elements was well known in the art at the time of the claimed invention, and is exemplified by Bala whose method comprises:

- a) a data processing system 20 comprising a polling/requesting means for polling at least one network element in a real time network and requesting real time information related to at least one telecommunications device, (page 3, paragraph 32).

Given the teachings of Bala, it would have been apparent to one of ordinary skill in the art to have the central server comprise a polling/requesting means for polling at

least one network element in the real time network and requesting real time information related to at least one telecommunications device. This would provided a specific time for the network element to transmit real time data of at least one telecommunication device to the central server, and would have also provided an efficient means for the central server to obtain real time data from the network element, Bala, page 1, paragraph 6.

5. In considering claim 21, although the disclosed system of Bar shows substantial features of the claimed invention, it fails to expressly disclose:

- a) the central server comprising a polling means for polling at least one system element within the wireless telecommunications system for real time information related to at least one telecommunications device.

Nevertheless, polling of network elements was well known in the art at the time of the claimed invention, and is exemplified by Bala whose method comprises:

- a) a data processing system 20 comprising a polling means for polling at least one network element in a real time network for real time information related to at least one telecommunications device, (page 3, paragraph 32).

Given the teachings of Bala, it would have been apparent to one of ordinary skill in the art to have the central server comprise a polling means for polling at least one network element in the real time network for real time information related to at least one telecommunications device. This would provided a specific time for the network element to transmit real time data of at least one telecommunication device to the

central server, and would have also provided an efficient means for the central server to obtain the real time data from the network element, Bala, page 1, paragraph 6.

6. In considering claim 24, although the disclosed method of Bar shows substantial features of the claimed invention, it fails to expressly disclose:

- a) an operator or developer interface for facilitating operation or developing and updating the central server.

Nevertheless, interfaces for facilitating the operation of servers and for developing and updating servers was well known in the art at the time of the claimed invention, and is exemplified by Bala whose method comprises:

- a) a user interface 15 attached to a data processing system for facilitating operation of the data processing system and/or developing and updating the data processing system, (see Fig. 2).

Given the teachings of Bala, it would have been apparent to one of ordinary skill in the art at the time of the present invention to have an interface for facilitating operation of the central server, and for updating and developing the central server. This would allowed a user to provide the central server with vital information concerning either the ISP's or the wireless devices, or both, through the central servers operating/developing/updating interface input/output's, and would allow an administrator of the central server to keep the server current with the most up to date information, Bala, page 3, paragraph 28.

7. In considering claim 31, although the disclosed method of Bar shows substantial features of the claimed invention, it fails to expressly disclose:

- a) polling at least one system element in the wireless telecommunications system.

Nevertheless, polling of network elements was well known in the art at the time of the claimed invention, and is exemplified by Bala whose method comprises:

- a) a data processing system 20 comprising a polling means for polling at least one system element in a wireless telecommunications system, (page 3, paragraph 32).

Given the teachings of Bala, it would have been apparent to one of ordinary skill in the art to poll at least one system element in the wireless telecommunications system. This would have provided a specific time for the system element to transmit location data and would have also provided an efficient means for obtaining location information from the system element, Bala, page 1, paragraph 6.

8. In considering claim 32, although the disclosed method of Bar shows substantial features of the claimed invention, it fails to expressly disclose:

- a) the selectively polling at least one system element associated with the wireless telecommunications system, and requesting real time information to be reported to the central server.

Nevertheless, polling of network elements was well known in the art at the time of the claimed invention, and is exemplified by Bala whose method comprises:

- a) a data processing system 20 comprising a polling/requesting means for polling at least one system element in a real time network and requesting real time information related to at least one telecommunications device to be reported to the data processing system, (page 3, paragraph 32).

Given the teachings of Bala, it would have been apparent to one of ordinary skill in the art to poll at least one system element in the real time network, and request the system element to report the real time information to the central server. This would have provide a specific time for a system element to transmit real time information, and also would have provided an efficient means for the central server to obtain location information from the system element, Bala, page 1, paragraph 6.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bar et al., U.S. patent publication 2001/0044309 discloses an intermediate database server that facilitates providing real time location data of wireless devices to service providers.

Bala et al., U.S. patent publication 2002/0068580 discloses a method of polling to obtain real time location data of wireless devices.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hassan Phillips whose telephone number is (703) 305-8760. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HP
3/16/04



FRANTZ B. JEAN
PRIMARY EXAMINER